

NOTICE OF TIMBER SALE**(Recovery - Scaled Sale)**

SALE NAME/NO.: Kelly Elk Divide 341-03-32

AUCTION DATE/TIME: September 18, 2002 starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Coos District – CFPA Crewhouse
63612 Fifth Road
Coos Bay, Oregon 97420
(541) 267-4136 FAX (541) 269-2027

DISTRICT/UNIT
OFFICE (MAILING
ADDRESS FOR BIDS): Oregon Department of Forestry
Coos District
63612 Fifth Road
Coos Bay, Oregon 97420
(541) 267-4136 FAX (541) 269-2027

HARVEST TYPE: Regeneration harvest containing approximately 93 acres of 70-year-old Douglas-fir timber.

SALE LOCATION: Portions of Sections 5, 17, and 18, T23S, R10W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER
SALE AREA: AREA I – From Allegany, take 1000 Road to 9000 Road, then 9200 Road to 9500 Road to the timber sale area.

AREA II – From Hwy. 38, take Loon Lake Road at approximately Milepost 13 to 7700 Road, then 7600 Road to 7650 Road to 7651 Junction.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	25"	3,527			91		195		2,516	662	63								
W Hem. / fir	18"	112														112			
Red Alder	14"	63														63			
Sale Total		3,702																	

MINIMUM BID: BID SPECIES Douglas-fir \$419.70 per MBF

NO-BID SPECIES Red cedar \$600.00 per MBF
Western hemlock and other conifers \$229.79 per MBF
Red alder and other hardwoods \$22,758.75 TOTAL PRICE

There is no project amortization. ODF will **not** reduce the price of a species to amortize the project work. Instead ODF will credit PURCHASER's timber account in the amount of \$37,566 after the project work is completed and accepted, as described in the section titled, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 44.

PERFORMANCE SECURITY: 20% of bid value (unknown) **or** the total value of the project work (\$38,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2004 BID METHOD: Sealed Bids

BID DEPOSIT: \$149,100 SALE TYPE: CSL – 100%

INSURANCE:	\$500,000 Commercial General Liability; \$500,000 Automobile Liability; \$500,000 Logger's Broad Form
HARVEST METHOD:	Uphill cable logging.
PROJECTS:	No. 1 – Road Improvement No. 2 – Rock Stockpile
FEES:	None.
THREATENED AND ENDANGERED SPECIES INFORMATION:	<p>This State timber sale contract requires that Purchaser comply with all laws, including the Endangered Species Act (ESA). This sale is located within an area covered by a Habitat Conservation Plan for northern spotted owls approved by U.S. Fish & Wildlife Service (USFWS). The Department of Forestry (ODF) has surveyed the sale area shown in Exhibit "A" for marbled murrelets. Results of the survey are on file with ODF, and are available for inspection upon request. No occupancy by marbled murrelets was observed in or adjacent to the sale area. ODF does not guarantee that a threatened or endangered species will not be found elsewhere within or near this sale. In the event a threatened or endangered species is found, ODF may take steps, including contract alteration or termination as provided in Section 32 of the contract, if ODF believes those steps are necessary to protect the interests of State.</p> <p>Prospective purchasers are encouraged to contact the ODF Wildlife Information Coordinator (503-945-7374) for further information or questions relative to threatened or endangered species survey information.</p>
SPECIAL REMARKS:	<p>SEASONAL RESTRICTIONS APPLY - SEE SECTION 39.</p> <p>Acreage was determined by mapping boundaries onto an orthophoto layer in the ArcView GIS program.</p> <p>Any conifer log having a gross scaling diameter of less than 5 inches shall be pencil bucked for the purpose of determining volume.</p> <p>Snag creation is required (Section 58).</p>
SALE OBJECTIVES:	Create early successional habitat for maintenance of a balance of habitat under the Elliott Habitat Conservation Plan and to plan and provide access to adjacent private timber.

The information shown on the Exhibit "A" map(s) are approximate locations. Exact locations of features represented by map symbols shall be determined on site and shall depend upon the conditions that exist on site. Activities shall be conducted based upon features determined on site rather than features shown on maps.

**See inside front cover of Auction Schedule booklet for
Disclaimer regarding all governmental regulatory actions.**

SALE NAME:	Kelly Elk Divide
COUNTY:	Coos
CONTRACT NO.:	341-03-32

TIMBER SALE NAME: **Kelly Elk Divide**

TIMBER SALE NO.: **341-03-32**

OPENING DATE: **September 18, 2002**

FORM OF PROPOSAL

The undersigned agrees to accept and perform all of the above terms and conditions as stated in the form of contract for the above-cited timber sale, and bids, and will pay:

ON THE BASIS OF PRICE PER THOUSAND BOARD FEET FOR:

Bid Species:

Douglas-fir, sawmill grade or better, _____
_____ Dollars (\$ _____) per MBF.

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

Red cedar \$ **600.00** per MBF.
Western hemlock and other conifers \$ **229.79** per MBF.
Red alder and other hardwoods **\$22,758.75** TOTAL PRICE.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$149,100**, payable to the State Forester.

The undersigned agrees to execute and deliver the contract, initial payment, required certificates of insurance, and performance bond, within thirty (30) days of the date of the written notification of high bid; and that any cash bid deposit may be applied to the first required timber sale payment.

The undersigned understands that the bid is irrevocable and further agrees that if he fails to qualify under the terms of the contract within the thirty-day period, the bid deposit shall become the property of the Oregon Department of Forestry as liquidated damages.

BIDDER _____
(Name of company or individual)

TAX ID NO. _____

ADDRESS _____

PHONE _____

BY _____
(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON PAGE 2

PURCHASER'S STATUS

Purchaser is a corporation ☐ Check
() Incorporated in
the State of _____
President's Name _____

Secretary's Name _____

Purchaser is: ☐ a partnership ☐ an assumed (business) ☐ company
☐ an individual name

List names of all persons doing business under the partnership or assumed name:

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

CERTIFICATION OF ELIGIBILITY
TO BID ON STATE TIMBER

_____ hereby certifies that they:

EXPORT

- (a) Will not export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction;
- (b) Will not sell, transfer, exchange, or otherwise convey the unprocessed timber as defined above which is the subject of this transaction to any other person without first obtaining a certification from that person which meets the requirements of OAR 629-031-0030.
- (c) Are not prohibited by OAR's 629-031-0005 through 0045 from bidding for unprocessed State timber as defined above directly from the State Forester.
- (d) Understand that falsely entering into this certification is a violation of the Forest Resources Conservation Amendments Act of 1993 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.
- (e) Have not exported unprocessed timber originating from private lands in Oregon in the last 24 months, **or if bidding only on STATE hardwood timber or logs, HAVE** exported unprocessed timber originating from private lands in Oregon in the last 24 months, but **HAVE NOT** exported unprocessed **hardwood** timber originating from private lands in Oregon in the last 24 months **and** meet the requirements of OAR 629-031-0010(2).

DEFAULT, TERMINATION, AND OTHER RELATED MATTERS

- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, in writing, with this bid for consideration by STATE. Any such explanation shall be submitted at the time of bid on a separate piece of paper.

Signed

Title

Dated

[NOTE: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005.]

Memorandum

Subject: Biological Survey of Kelly Elk Divide
Timber Sale Number 341-03-32

To: Potential Bidders

From: Marcia Humes, Wildlife Biologist

Date: August 5, 2002

PROSPECTIVE PURCHASERS OF STATE TIMBER SALES NEED TO BE AWARE THAT THE DEPARTMENT OF FORESTRY IS ENGAGED IN AN ACTIVE THREATENED AND ENDANGERED SPECIES SURVEY PROGRAM. AS PART OF THAT PROGRAM, ODF SURVEYS ITS LANDS ON A CONTINUING BASIS FOR LAND MANAGEMENT, SPECIES PROTECTION, RESEARCH, AND OTHER REASONS. PROSPECTIVE PURCHASERS ARE REMINDED THAT ODF SURVEYING EFFORTS MAY TAKE PLACE DURING THE LIFE OF ANY TIMBER SALE CONTRACT, AND THAT THE DISCOVERY OF A THREATENED OR ENDANGERED SPECIES IN THE VICINITY OF A TIMBER SALE MAY AFFECT OPERATIONS CONTEMPLATED UNDER THE CONTRACT. THIS INCLUDES TIMBER SALES THAT HAVE BEEN DETERMINED TO BE UNSUITABLE HABITAT OR NOT DETRIMENTAL TO HABITAT. PLEASE REFER TO SECTIONS 30, 32, AND 33 OF YOUR CONTRACT PROSPECTUS, OR CONTACT OUR WILDLIFE INFORMATION COORDINATOR AT (503) 945-7374 FOR FURTHER INFORMATION.

This sale is located within an area covered by a Habitat Conservation Plan (HCP) for northern spotted owls approved by the U.S. Fish and Wildlife Service. This sale does not affect any northern spotted owl core areas established under the HCP. Due to its location in a demographic study area, surveys for spotted owls may occur in or near the sale area, during the life of the contract.

The HCP for the Elliott State Forest does not currently cover marbled murrelets. Area 1 of this sale was surveyed for marbled murrelets in 1999, 2000, and 2001, and Area 2 was surveyed for marbled murrelets in 1999 and 2000, using a protocol developed by the Pacific Seabird Group. Murrelets were detected as present at one site in Area 1 in 2000, but occupancy was not observed. No murrelets were detected during surveys of Area 2.

There are no seasonal restrictions associated with northern spotted owls or marbled murrelets for this sale.

cc: Coos District